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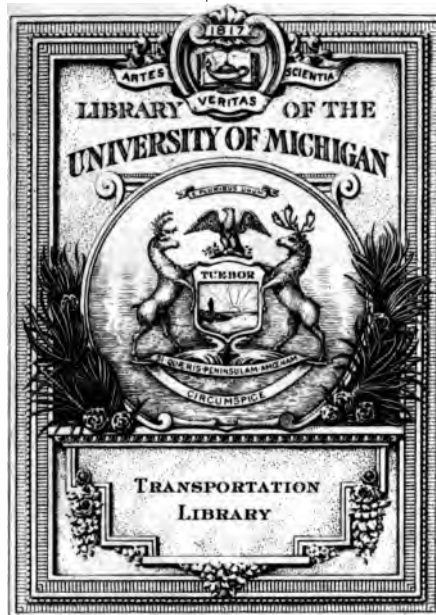
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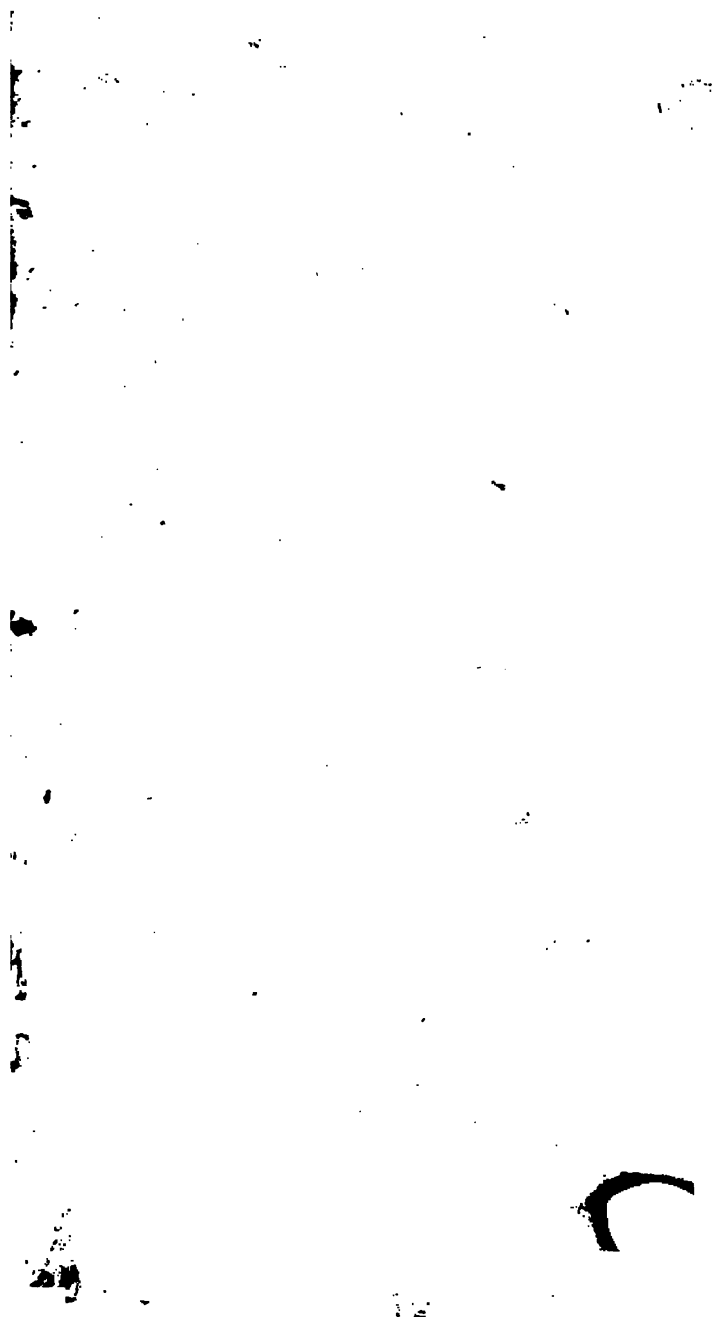








76





6
company, Philadelphia
BY-LAWS,
RULES AND REGULATIONS

OF

THE CORPORATION

OF

**THE PRESIDENT, DIRECTORS AND COMPANY FOR
ERECTING A PERMANENT BRIDGE OVER
THE RIVER SCHUYLKILL, AT OR NEAR
THE CITY OF PHILADELPHIA.**

TO WHICH ARE PREFIXED

**THE ACT OF THE LEGISLATURE
AUTHORIZING THE INCORPORATION,**

AND THE SUPPLEMENT THERETO.

*Printed for the use of the President, Directors, and
other Stockholders.*



PHILADELPHIA:

PRINTED BY WILLIAM FRY, GEORGE STREET.

1822.

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ACT OF INCORPORATION.

AN ACT to authorize the Governor of this commonwealth to incorporate a company, for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia.

WHEREAS a number of the inhabitants of this commonwealth have requested this Legislature to permit them to bring in a bill for incorporating a company, for the purpose of erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, and it appearing to this Assembly that the completion of such a work will be of great public utility, as well for the immediate benefit of the said city, as for the general interest of the state, which derives most essential and solid advantages from the commerce and prosperity of its capital :

SECTION I. *Be it therefore enacted by the SENATE and HOUSE OF REPRESENTATIVES of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* that Richard Peters, John Perot, Godfrey Haga, Matthew M'Connell, and William Sheaff, or any three of them, be and they are hereby appointed Commissioners, to do and perform the several duties herein after men-

Commissioners appointed to receive subscriptions for erecting a bridge over Schuylkill.

tioned, that is to say ; they shall and may, on or before the first day of June next, procure one or more books, as they shall think necessary, and therein enter as follows, viz. " We whose names are hereunto subscribed, do promise to pay to the President, Directors and Company for erecting a bridge over the river Schuylkill, at or near the city of Philadelphia, the sum of one dollar at the time of subscribing, and one dollar in three months thereafter, for every share of stock in the said company set opposite to our respective names, and the residue thereof, at the rate of ten dollars for each share, in such manner and proportion, and at such times, as shall be determined by the President and Directors chosen in pursuance of an act of General Assembly, entitled ' An Act to authorize the Governor of this Commonwealth to incorporate a company, for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia ;' " and shall thereupon proceed to receive subscriptions for the stock of the said company, which is hereby declared and intended to be the sum of one hundred and fifty thousand dollars, divided into fifteen thousand shares, at ten dollars each, at such times and places as they shall think proper, of which public notice shall be given in three or more newspapers (one of which shall be in the German language) printed in the city of Philadelphia, for at least twenty days before the first day of meeting ; and if before the said stock be completed, they shall adjourn for more than three days, notice of the time and place when

and where the said Commissioners will next receive subscriptions shall be given in at least one newspaper printed in the said city; and it shall be lawful for any person, body politic or corporate, to subscribe for as many shares, not exceeding one hundred in one day, as he, she or they shall choose: *Provided always*, That every person offering to subscribe as aforesaid, in his own name, or any other name, shall previously pay to the attending Commissioner one dollar for every share to be subscribed, out of which shall be defrayed the expenses attending taking such subscriptions, and other incidental charges, and the remainder shall be paid over to the Treasurer of the Corporation, as soon as the same shall be organized, and the officers chosen, as is herein after mentioned; but the said Commissioners shall reserve three thousand shares, which shall be appropriated by the President and Directors, and used, if the same be found requisite, for the purposes herein after mentioned, of vesting therein the monies to be applied for a sinking fund, to free the bridge, and to enable the President, Directors and Company to purchase therewith, if the same can be done, a site or place for erecting the bridge; such of the said reserved shares as are not used for these purposes to be open for further subscription or sale, as the President and Directors shall according to circumstances deem proper.

Payment to
be made on
subscribing.

Appropriation of the
amount.

SEC. II. *And be it further enacted by the authority aforesaid*, That when one hundred persons or more shall have subscribed five thousand

Proceedings
to incorporate
the subscribers.

shares in the said stock, the said Commissioners respectively shall certify, under their hands and seals, the names of the subscribers, and the number of shares subscribed by or apportioned to each subscriber, to the Governor of this commonwealth; and thereupon it shall and may be lawful for the Governor, by letters patent, under his hand and seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, those also who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of

Style of the
Corporation;

"The President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" and by the said name the said subscribers shall

their powers
and privile-
ges.

have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of taking, purchasing and holding to them and their successors, in fee simple, or for any less estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do.

Sec. III. *And be it further enacted by the authority aforesaid,* That the six persons first named in the letters patent shall, as soon as conveniently may be after sealing the same, give notice in two or more of the public newspapers in Philadelphia, one whereof shall be in the German language, of a time and place by them to be appointed, not less than thirty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose, by a majority of votes of the said subscribers, by ballot, to be delivered in person, or by proxy duly authorized, one President, twelve Directors, one Treasurer, and such other officers, as they shall think necessary to conduct the business of the said company for one year, and until other officers shall be chosen; and may make such by-laws, rules, orders and regulations, not inconsistent with the laws of this commonwealth, as shall be necessary for the well ordering the affairs of the said company: *Provided always,* That no person shall have more than fifty votes at any election, or in determining any question arising at such meetings, whatever number of shares he or she may be entitled to, and that each person shall be entitled to one vote to every share by him or her held, under the said number.

Proceedings to organize the corporation.

President, Directors and Treasurer to be chosen.

Limitation of the number of votes.

Sec. IV. *And be it further enacted by the authority aforesaid,* That the said stockholders shall meet on the first Monday in January in every succeeding year, at such place as shall be fixed by the rules and orders of the said com-

Meetings of the Stockholders.

pany, to be made as aforesaid, for the purpose of choosing such officers as aforesaid for the ensuing year.

SEC. V. *And be it further enacted by the authority aforesaid,* That the President and Directors first to be chosen, as aforesaid, shall procure certificates to be written or printed for all the shares of stock of the said company, and shall deliver one such certificate, signed by the President, and countersigned by the Treasurer, and sealed with the seal of the Corporation, to each person, for every share by him or her subscribed or held, upon payment to the Treasurer, in part of the sum due ~~thereon~~, the sum of one dollar for each share, which certificate shall be transferable at such person's pleasure, in person or by attorney, in the presence of the President or Treasurer, subject however to the payments due and that may grow due thereupon; and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of the Corporation, and for every certificate so held shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates of
shares to be
issued:

which shall
be transfer-
able.

How the
place for
erecting the
bridge shall
be fixed, and
the property
therein pur-
chased.

SEC. VI. *And be it further enacted by the authority aforesaid,* That the said President and Directors, on their being chosen in the first instance, shall call a meeting of the stockholders, and that meeting may appoint five of their number to examine and report the most eligible place or places for building the bridge, and to

treat with any body or bodies politic or corporate, or individuals, for the purchase of their respective rights, or any of them, to the place or places deemed eligible; and when the said place or places, and terms on which it or they can be purchased, are so reported, the said stockholders, or a majority of those met, may fix on the place and terms, or the said stockholders or a majority of them, may at any time agree to leave the determination, both on place and terms, to the President and Directors.

SEC. VII. *And be it further enacted by the authority aforesaid, That the said President and*

Times and places for the meetings of the President and Directors.

Directors shall meet at such times and places, and be convened in such manner, as shall be agreed on for transacting their business at such meetings; five members shall be a quorum, who, in the absence of the President, may choose a Chairman, and shall keep minutes of all their transactions fairly entered in a book; and a quorum being

They shall keep books.

met, they shall have full power and authority to agree with and appoint such engineers, superintendents, artists, and other officers, as they shall think necessary to carry on the said bridge, and to fix their salaries and other wages, to ascertain the times, manner and proportions, in which the stockholders shall pay the money due on their respective shares, in order to carry on their work, to draw orders on the Treasury for all money to pay the salaries or wages of persons by them employed, and for the materials and labour done and provided, which shall be signed by the President, or, in his absence, by a majority of a quorum, and to do and transact all other such acts, matters and things, as

Their power to employ and pay agents and workmen.

They shall
within five
years erect
the bridge.

General de-
scription of
the bridge.

Penalty for
neglecting to
pay the re-
quisition on
shares.

by the by-laws, orders and regulations of the company shall be committed to them; and the said President, Directors and Company shall, within the space of five years, erect, or cause to be erected, in a permanent and workmanlike manner, a good substantial bridge of wood, iron, or such other materials, as to them shall seem adequate and proper, over the said river Schuylkill, as the place fixed on as herein mentioned. The said bridge to consist of one or more arch or arches, with stone abutments, and one or more pier or piers, if necessary, to be at least thirty-six feet wide, with railing on each side thereof, with foot-ways at least five feet wide, either raised or railed off, for the commodious passage of foot passengers.

SEC. VIII. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice in two of the public newspapers printed at Philadelphia, one whereof shall be in the English, and one in the German language, of the time and place appointed for the payment of any portion or dividend of the said capital stock, shall neglect to pay such proportion at the time so appointed, and for the space of forty days thereafter, every such stockholder, or his assignee, shall, in addition to the dividend so called for, pay at the rate of five *per centum* per month for every delay of such payment; and if the same and the said additional penalties shall remain unpaid for such space of time, that the accumulated penalties shall become equal to the sums before paid on account of such shares, the same shall be for-

feited to the company aforesaid, and may and shall be sold by them to any other person or persons willing to purchase, for the best price that can be obtained therefor.

SEC. IX. *And be it further enacted by the authority aforesaid,* That the President and Directors of the said company shall keep fair and just accounts of all monies received by them from the said Commissioners, and from the subscribers to the said undertakings, and of all penalties for delay in the payment thereof, and of the amount of the profits on shares that may be forfeited as aforesaid, and of all voluntary contributions, and other monies received for account of the erecting or freeing the said bridge, and also of all monies by them expended in the prosecution of the said work; and shall, at least once in every year, submit such accounts to a general meeting of the stockholders, until the said bridge be completed, and until all the costs, charges and expences for effecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained; and if upon such liquidation, or whenever the whole capital stock of the company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete the said bridge, according to the true intent and meaning of this act, it shall and may be lawful for the said President, Directors and Company, at a stated or special meeting, to be convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such extent,

Accounts of all receipts and disbursements shall be regularly kept.

To be submitted annually to the stockholders.

When and how the number of shares may be increased.

Surplus monies to be refunded.

as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares in like manner, and under the like penalties, as are herein before provided for the original subscription; and if, after the said bridge is completed, it shall be found that ~~more~~ monies shall remain in the hands of the Treasurer than are necessary for the payment of all charges and expenses incurred in and about the erecting the said bridge, the surplus shall be returned, as part of the dividend due and payable to the stockholders respectively.

The property of the bridge vested in the corporation for twenty-five years.

Their power to take toll, and rates thereof.

SEC. X. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge is erected over the said river Schuylkill, at or near the city of Philadelphia, at the place deemed most convenient, as herein after mentioned, the property of the said bridge shall be vested in the said President, Directors and Company, and their successors, during and unto the end of twenty-five years, to commence from the time when the bridge is completed; and the said President, Directors and Company, and their successors, may demand and receive toll from travellers and others, agreeably to the following rates, which shall be written or printed, and published or placed in or near the said bridge, for the information of passengers, viz. for every coach, landau, phaeton, or other pleasurable carriage with four wheels, drawn by four horses, the sum of twenty cents, and so in proportion if more horses are added, and for the same carriages with two horses, the sum of twelve cents, for every loaded waggon with

four horses, the sum of seventeen cents, and for every carriage of the same description drawn by two horses, the sum of twelve cents; for every chaise, riding chair, sulkey, cart, or other two wheeled carriage, or a sleigh or sled with two horses, the sum of ten cents, and so in proportion if more horses are added to the number herein mentioned, and for the same with one horse, the sum of six cents; for a single horse and rider, the sum of two cents; for every horse or mule without a rider, the sum of one cent; for every foot passenger, the sum of one cent; for every head of horned cattle, the sum of one cent; for every living sheep or swine, the sum of half a cent; but the said tolls shall be from time to time so regulated, that no more than three fourths of the tolls demandable in other cases shall be taken for the transportation of the produce of the country, and for those laden with manure half toll; empty carriages of burthen to pass for half toll, and a proportion of the foregoing tolls to be added to the sums chargeable for carriages of burthen laden with more than two tons, wood and stone not to be considered as lading entitling carriages to diminution of toll: *Provided always*, That nothing in this act contained shall extend to authorize the said company to erect a bridge, without consent of the owners of the ground on each side of and contiguous to the said river, where the said bridge may be erected, or to erect the same in such manner as to injure, stop or interrupt the navigation of the said river by boat, craft, or vessels without masts, and when the said tolls

Proviso, as to private rights of property, and the navigation of the river.

Fund established for redemption of the bridge, and rendering it free.

shall exceed fifteen *per cent.* net annual profit, the excess shall compose a fund for the redemption of the bridge, so as to render it free, save that there shall always be a small toll or other revenue for keeping it in repair; this excess shall be laid out in bridge stock, or other productive funds, and the dividends of annual product shall be also added to this fund; and all

Private donations for that purpose.

private donations for freeing the bridge shall also be received and invested in like manner; but if, by the operation of the fund herein proposed, there shall be a sufficient sum to free the bridge at a period less than the said twenty-five

The bridge may be redeemed before the expiration of the twenty-five years, if the fund is sufficient;

years, then it shall be redeemed and become free, on the stockholders being paid the appraised value thereof, and of the profits thereof for the residue of the said term of twenty-five years, which may then be unexpired; and if the said fund shall not be adequate to the purpose

or afterwards by authority of the Legislature, upon terms.

last mentioned, the Legislature may at the expiration of the said twenty-five years, declare it a free bridge (providing at the same time the means of keeping it in repair) and the company shall be obliged to take such sum of money therefor, as shall be allowed on a fair appraisement by indifferent persons; the like appraisement shall take place, when the sinking fund is adequate to the redemption of the bridge and the establishment of a revenue, if a toll be not thought more eligible, for keeping the bridge in repair; but if the said bridge shall not be redeemed and paid for as a free bridge, before or at the expiration of the said term of twenty-five years, the said corporation may and

Appraisement of the bridge.

shall continue to hold the same on the terms of this act beyond the said term, and until the same shall be redeemed and paid for in manner herein directed.

SEC. IX. *And be it further enacted by the authority aforesaid,* That in fixing the toll of all ^{Two oxen to be estimated equal to one horse.} carriages drawn wholly or in part by oxen, two oxen shall be estimated equal to one horse.

SEC. XII. *And be it further enacted by the authority aforesaid,* That if the said President, ^{Penalty on exacting greater tolls than the law allows.} Directors and Company, or their successors, or any person by their authority, shall collect or demand any greater rates or prices for passing over the said bridge, than what are herein before prescribed and specified, or shall neglect to keep the said bridge in good repair, on ten days notice given by or from any Magistrate of the city or county of Philadelphia, they so offending shall, for every such offence, forfeit and pay the sum of fifty dollars, one moiety thereof for the use of the poor of the city and county of Philadelphia, and the other moiety for the use of the person who may sue for the same: *Provided always,* That no suit or action shall be brought, unless within thirty days after such offence shall be committed.

SEC. XIII. *And be it further enacted by the authority aforesaid,* That the said President, ^{Of keeping accounts and declaring dividends.} Directors and Company, shall also keep a just and true account of all money received by their several respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof among all the stockholders, deducting first

therefrom all contingent costs and charges, and such proportions of the said income as may be deemed necessary for the growing fund, to provide against the decay and for the rebuilding and repairing of the said bridge; and shall, on every first Monday in January and July of every year, publish the dividend to be made of the said clear profits thereof among the stockholders, and of the time and place, where and when the same shall be paid, and shall cause the same to be paid accordingly.

abstract
the ac-
counts to be
l before
Legisla-
ture.

SEC. XIV. *And be it further enacted by the authority aforesaid,* That the said President and Directors shall, at the end of or within every third year from the date of the incorporation, lay before the General Assembly of this commonwealth, an abstract of their accounts, showing the whole of the capital expended in the prosecution of the said work, and of the income and profits arising from the said bridge, for and during the said respective periods, together with an exact account of the costs and charges of keeping the said bridge in repair, and all other contingent costs and charges, to the end, that the clear annual income and profits thereof may be ascertained.

initiation of
so for com-
mencing and
completing
the bridge.

SEC. XV. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within the space of two years after they have been incorporated, or shall not within the space of five years from the passing of this act, complete the said bridge, it shall and may be lawful for the Legislature of this commonwealth to re-

sume all and singular the rights, liberties and privileges, hereby granted to the said company.

SEC. XVI. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully, or without the orders of the said President and Directors, pull down, break or destroy, with intent to injure, any part or parts of the said bridge, or of any abutment, pier or piers, or of any of the toll houses, gates, bars, or other property of the said corporation, appurtenant to or erected or made for the use and convenience of the said bridge, or the persons employed in conducting the business thereof, or shall wilfully, without the orders and consent of the said corporation, or any person or persons authorized by them, obliterate, deface or destroy the letters, figures or other characters, in any written or printed list of the rates or tolls affixed or to be affixed in any place or places, for the information of passengers and others, or who shall wilfully and maliciously obstruct or impede the passage on or over the said bridge, or any part or parts thereof, he, she or they, so offending, shall, and each of them shall forfeit and pay to the said President, Directors and Company, the sum of thirty dollars, to be sued for and recovered before any Justice of the peace, in like manner, and subject to the same rules and regulations, as debts under twenty pounds may be sued for and recovered; and he she or they, so offending, may and shall remain liable to actions at the suit of the said President, Directors and Company, for further

Penalty on
injuring the
works and
bridge.

Penalty on
impeding the
passage over
the bridge.

damages for such torts, if the said sum or sums herein mentioned be not sufficient to repair and satisfy such damages.

GEORGE LATIMER,

Speaker of the House of Representatives.

ROBERT HARE,

Speaker of the Senate.

Approved, March 16th, 1798.

THOMAS MIFFLIN,

Governor of the commonwealth of Pennsylvania.

Pennsylvania ss.

*In the name, and by the authority of the
commonwealth of Pennsylvania, THOMAS
Seal. MIFFLIN, Governor of the said common-
wealth.—To all to whom these presents
shall come, sends Greeting:—*

Thomas Mifflin.

WHEREAS in and by an act of the General Assembly of the commonwealth of Pennsylvania, entitled, "An Act to authorize the Governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia," passed on the sixteenth day of March, in the year of our Lord, one thousand seven hundred and ninety-eight, it is provided, that when one hundred persons or more shall have subscribed five thousand shares in the stock of the said company, the Commissioners in the said recited act named shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by or apportioned to each subscriber to the Governor of this commonwealth and thereupon it shall and may be lawful to and for the Governor, by letters patent, under the great seal of the state, to create and erect such subscribers into one body Politic and Corporate, in deed and in law with perpetual succession and with all the

privileges and franchises incident to a Corporation, by the name, style and title of "The President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia." *And whereas*, Richard Peters, John Perot, Godfrey Haga, Matthew M'Connell, and William Sheaff, being the Commissioners in the said recited Act named as aforesaid to receive the subscriptions under their hands and seals have certified to the Governor, that one hundred and ninety-four persons have subscribed for five thousand one hundred and sixty-two shares in the stock of the said Company, and for the purposes mentioned in the said act agreeably to the following list, viz.—Richard Peters, fifty shares, John Perot, five, Matthew M'Connell, fifty, William Sheaff, fifty, George Bickham, twenty, William Nichols, thirty, Basil Wood, five, Philip Edwards, five, Archibald M'Call, one hundred, Ebenezer Branham, ten, Charles Biddle, twenty, David Rawn, twenty, Samuel M'Call, twenty, William Sergeant, thirty, Thomas Hough, twenty, Solomon De Waters, ten, John Miller, M. C. fifty, Samuel Blodget, one hundred, George Taylor, jun., twenty, D. Caldwell, twenty-five, John Dempseie, one hundred, Samuel A. Otis, one hundred, Anthouy Cuthbert, fifty, Thomas Ryerson, twenty-five, Isaac Jones, ten, David Evans, fifteen, David Evans, jun., five, Joseph Marsh, jun., five, David Jones, five, Isaac Jones, five, Slator Clay, ten, Elizabeth Branham, ten, William Rogers, one hundred, James Jones, ten, Edward Harris, one hundred, Stephen Phipps, five, Henry Clymer, one hundred, John Crosby, two hundred, Thomas M. Willing, two hundred, Samuel Pancoast, jun., twenty, C. W. Peale, one, William Bingham, two hundred, Nathan Sellers, fifteen, David

Sellers, fifteen, Benjamin Gibbs, one hundred, Edward George, ten, Thomas Pratt, sen., fifty, Thomas Pratt, ten, Richard Crean, ten, James C. Fisher, ten, Rebecca Fisher, ten, John Simpson, fifty, Charles Ross, fifty, John Ross, one hundred; Samuel Breck, jun., one hundred, John James, forty, Ellison Perot, fifteen, Daniel Sutter, twenty, John M'Cullough, ten, James Simmons, ten, Nancy Snider, ten, Christianna Branham, ten, Adam Siter, jun., fifty, David Roberts, ten, James Cooper, one hundred, Robert Bethell, one hundred, William Bethell, ten, Francis Rush, ten, Frederick Kuhl, five, Joseph Cauffman, five, John Ternant, fifty, Ebenezer Hazard, one hundred, Robert Ralston, one hundred, Isaac Hayes, two, William Hayes, four, George Davis, twenty, Aaron Baker, five, William Rawle, fifteen, David Witmer, five, Richard H. Morris, ten, Abraham Witmer, five, Jacob Graeff, two, Alexander Scott, two, William Fromberger, two, John Waddington, two, Edward Shoemaker, five, Jacob Shoemaker, five, J. Wilson, ten, John Ketland, two, Joshua fisher, two, George Roberts, jun., two, William Smith, two, James R. Caldwell, five, John G. de la Roche, ten, John Dunwoody, ten, Caleb Lownes, ten, Joseph Lownes, ten, Jesse Waln, five, Mark Prager, fifty, Isabella Williamson, ten, Amos Wickersham, two, James Cruckshank, three, George Dawson, two, John Stille, four, Henry Phillips, two, Philip Nicklin, fifty, Samuel Wheeler, two, Mary Shute, ten, John Read, jun., ten, Benjamin Williams, ten, John M. Soullier, twenty, Robert E. Griffith, fifty, Ch: de Grosey, twenty, John Bennet, fifty, William T. Donaldson, five, Peter Lex, three, Frances Clifton, ten, Anna Maria Clifton, ten, Mary Dally, ten, James Vanuxem, thirty, Richard Rundle, fifty, Joseph Reed,

ten, Henry Toland, fifty, John Sellers, of Darby, ten, Laurence Seckel, five, William Sheaff, jun., one, Henry Sheaff, one, John Sheaff, one, George Sheaff, ten, Henry Helmuth, twenty, Henry W. Muhlenberg, ten, Peter S. Duponceau, one hundred and four, Owen Jones, ten, Jonathan Jones, ten, William Montgomery, ten, Jacob Hiltzheimer, two, Joseph Watson, ten, Martin Dubs, ten, John Clun, five, Frederick Heisz, three, William Cobbett, ten, Richard North, two, Francis Johnston, ten, William Guier, ten, John Dunlap, fifty, Griffith Evans, five, Samuel Blodget, for the Pennsylvania Hospital, ten, Joseph Gray, two, John Dunlap, jun., one, Philip Wager, ten, Leonard Jacobi, ten, Philip Stein, five, Thomas Clifford, five, John Clifford, five, Abraham Kintzing, jun., ten, Thomas Leiper, fifty, William Read, ten, George Plumstead, twenty, Matthew Pearce, ten, Robert Harwood, one, Jacob Hoffman four, J. Dorsey, ten, Joseph Sansom, ten, Philip Sheaff, jun., five, Philip Sheaff, sen., five, William Pennock, ten, George Ord, ten, David Seckel, ten, Christopher Marshall, twenty, John Munday, ten, Joseph Gibbons, ten, Jacob Sperry, ten, Samuel Pleasants, twenty, John Singer, five, David C. Claypoole, ten, Paul Sieman, one hundred, Matthew Jones, ten, James M'Henry, twenty, Septimus Claypoole, two, Ebenezer Hazard, Secretary for the President and Directors of the Insurance Company of North America, two hundred and fifty, Joseph Huddell, twenty, George Cooper, sen., ten, Mark Rodes, ten, Jacob Miller, five, Samuel Blodget, for the President, Directors and Company of the Insurance Company of Pennsylvania, two hundred and fifty, John W. Easby, five, Jacob Hassinger, two, J. B. Bond, twenty, George Westcott, five, Joseph Anthony, fifty, Josiah Hewes

Anthony, fifty, Barbara Sheaff, ten, Elisha Fisher, five, Jacob Edwards, five. *Now know ye*, That by virtue, and in pursuance of the power and authority to me given, in and by the said recited act of General Assembly, I the said THOMAS MIFFLIN, Governor of the said Commonwealth, do by these presents, which I have caused to be made patent, and sealed with the Great Seal of the State, create and erect all and every the subscribers herein before particularly named, into one body corporate and politic, in deed and in law, with perpetual succession and with all the privileges and franchises incident to a Corporation, by the name, style and title, of "The President, Directors and Company for erecting a permanent bridge, over the river Schuylkill, at or near the city of Philadelphia."—*Hereby* giving and granting unto the said Corporation or Body Politic, full power, right, jurisdiction and authority by the name aforesaid, to exercise and enjoy all and singular the said privileges and franchises, and to hold the capital stock in the said act mentioned, and the increase and profits thereof, and to enlarge the same from time to time, by new subscriptions in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of the said recited Act of the General Assembly, and of taking, purchasing, and holding to them and their successors in fee simple, or for any less estate, all such lands, tenements, hereditaments, and estate, real and personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of doing all and every other matter and thing which a Corporation or Body Politic may

lawfully do by virtue of the said Act of General Assembly, and of these presents.

Given under my hand and the Great Seal of the State at Philadelphia, the twenty-seventh day of April, in the year of our Lord, one thousand seven hundred and ninety-eight, and of the Commonwealth, the twenty-second.

By the Governor :

A. J. DALLAS, Secretary.

A SUPPLEMENT

To the Act entitled "An Act to authorize the Governor of this Commonwealth to incorporate a Company for erecting a Permanent Bridge over the river Schuylkill, at or near the city of Philadelphia."

SEC. I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, That the President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, be, and they are hereby authorized to regulate the mode of passage over the bridge, so as to prevent injury thereto, or annoyance to passengers by any person or persons who shall drive, ride or pass on, or over the same, and in any manner infringe the regulations made by the said President, Directors and Company as to such mode of passage, or in relation to the tonnage or weight permitted or forbidden to be transported on or over the said bridge; or as to the state of carriages of pleasure or burthen, claiming diminution or liable to increase of tolls, and generally to make and*

The President and Directors to regulate the mode of passage over the bridge,

and to make ordain such by-laws and regulations not contrary
 and ordain to the constitution and laws of this Common-
 By-Laws, &c. wealth, as shall be considered necessary for the
 orderly collection of the tolls, and the govern-
 ment, convenience, and preservation of the said
 bridge, its affairs and appurtenances, and for the
 ease and safety of passengers on and over the

same; and all breaches of such by-laws, rules
 and regulations, shall be subject to the like
 penalty and penalties prescribed for the cases
 enumerated in the act to which this is a supple-
 ment, to be sued for and recovered before any
 Justice of the Peace of the county, or Alderman
 of the city of Philadelphia, in like manner with
 the penalties mentioned in the original act; and
 offenders are to remain liable to actions at the
 suit of the said President, Directors and Com-
 pany for the damages as mentioned in the said
 act, in regard to those liable to the penalties in
 the said act prescribed; and any Justice of the

Peace in and for the county, or Alderman of the
 city of Philadelphia, is authorized to take cog-
 nizance of any of the offences herein mention-
 ed, or of any breaches of the peace, trespasses,
 crimes, or misdemeanors committed on the said
 bridge or its appurtenances; and the respective
 courts of the city or county of Philadelphia shall
 have jurisdiction of such offences or misde-
 meanors, in like manner and extent as of such
 or any breaches of the peace, crimes, trespasses,
 or misdemeanors committed in the body of the

said city or county, and properly falling within the jurisdiction and cognizance of such courts, without regard, in these instances, to the place of their being committed, whether within the reputed or fixed boundaries of the said city or county.

SEC. II. *And be it further enacted by the au-* Power of the Constables of the city and county of Philadelphia.
thority aforesaid, That any constable or constables of the city or county aforesaid, shall have full power and authority to arrest, without warrant, all and every offender and offenders against the rules and regulations legally established for the government and direction of the affairs of the bridge, and the safety and convenience of passengers and transportation on and over the same, and carry such offender or offenders before a Justice of the Peace of the county, or the Mayor or any Alderman of the city of Philadelphia, to be dealt with according to law.

SEC. III. *And be it further enacted by the au-* Collectors and Watchmen of the Bridge to be under oath or affirmation.
thority aforesaid, That it shall be lawful for the President and Directors aforesaid, to cause the toll collectors and watchman or watchmen of said bridge, to take or subscribe an oath or affirmation before the Mayor, or any Alderman of the city or Justice of the Peace of the county of Philadelphia, that he or they will faithfully conduct themselves in his or their respective stations, and honestly account to the Treasurer of the Company for all the money collected by him or them, and dilligently attend to the discharge

authorized and empowered to determine on the place for erecting the bridge, and to do all acts necessary for the purchase of such place, and make and enter into any contracts for such purpose, which contracts shall be binding on the Stockholders, as fully and effectually as if done by them, agreeably to the sixth section of the said act: which resolution was adopted.

On motion of Mr. M'Connell,

Whereas by the charter of incorporation the Stockholders are empowered at their general meeting legally convened, to make such by-laws, rules, orders and regulations, as shall be necessary for the well ordering the affairs of the Company.

Resolved, First, That the President and Directors are hereby authorized and empowered to determine the amount of security that shall be given by the Treasurer for the faithful performance of his duty, and to take the same accordingly, and also to allow him such commissions or compensation as shall be deemed proper.

Second, That once in each year, the President and Directors shall lay before the Stockholders at a general meeting, for their information, an exact and particular statement of all their transactions, accounts and expenditures of money.

Third, That the President and Directors are hereby authorized and directed to procure a seal with suitable devices, and the President, with the approbation of the Board, will affix the said seal of the corporation to all instruments of writing, and sign the same in behalf of the corporation.

Fourth, That the President and Directors are hereby authorized and empowered to lease or hire for a term not exceeding one year, a suitable room or rooms for the meetings of said Board, and the more convenient transacting the business of the company: which resolution was adopted,

And the meeting of the Stockholders adjourned.

At a meeting of the Stockholders holden on the 6th day of January, 1800, the following by-laws were agreed to and ordained.

First, There shall be stated meetings of the President and Directors at their office, once in every month, (unless the state of the city forbids such meeting) at such hour as the Board may from time to time agree on at the preceding meeting, but the President may also call special meetings of the Board of Directors when he may think the same necessary, or whenever he shall be required so to do, by an application in writing signed by two or more Directors, and in case of the sickness or absence of the President, two Directors shall have the authority to call a special meeting.

Second, The *Treasurer* shall keep the accounts of the Company in suitable books, and in such manner and form as he shall be directed from time to time by the Board of Directors, and shall deposit the cash and securities for money of the Company in the Bank of Pennsylvania, in his name, for the use of this corporation, and shall pay the drafts of the President, or in his ab-

sence of a majority of a quorum of Directors met: all deposits shall be made as expeditiously after the receipt of monies as may be: and when the cash in the Treasurer's hands shall amount to two hundred dollars at any time, no more than two days shall elapse before the monies received shall be deposited.

Third, The Treasurer before he enters on the duties of his office shall give bond to the President, Directors and Company, with two sufficient sureties in the sum of ten thousand dollars, conditioned for the faithful performance of his duty as Treasurer; he shall produce a monthly statement, if required, of the cash under his care belonging to the Company, and it shall be the duty of the Directors to compare the same with the Bank account of said money, and the Treasurer shall be allowed a reasonable compensation for his services.

Fourth, That the Treasurer appoint a suitable person (to be approved of by the Directors) to serve as Clerk and Secretary, who shall keep regular and fair entries of the proceedings of the Board, in a suitable book to be provided for that purpose; that he shall every month make out a statement of all sums drawn for by order of the Board, and in general perform such other services as properly appertain to the office of Secretary and Clerk, for which he shall receive such salary as shall be agreed for under the direction of the Board.

Fifth, That the Directors have authority to employ such persons as shall appear to them to be necessary for promoting the object and transacting the business of this Company, to agree with them for reasonable compensation for their assistance and services and ge-

nerally to do and transact all other such acts, matters and things for the benefit of this corporation, as shall not be inconsistent with the charter or repugnant to the by-laws thereof.

Agreed by the Stockholders and passed into by-laws 6th January, 1800.

(Signed) RICHARD PETERS.

And the meeting of the Stockholders adjourned.

At a meeting of the Stockholders of the Company for erecting a Permanent Bridge over the River Schuylkill at or near the city of Philadelphia, held 28th February, 1809,

On motion,

Resolved, That the President and Directors after paying interest on the loan and incidental expenses be, and they are hereby authorized to *vest all surplus monies in the Treasurer's hands, in such safe objects as they may deem proper, for the purpose of creating a growing fund, to provide against the decay of the said Bridge*, and also, for the purpose of paying off the present debts due by the Company.

(Signed) JOHN BIDDLE,

ISRAEL WHELEN, *Secretary*.

Chairman.

A By-Law in relation to the Bridge Lot on High and Schuylkill Front Streets.

The President and Directors of the Company incorporated by the act of the Legislature of Pennsylvania, entitled, an "act to authorize the Governor of this Commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia," having had certain duties detailed and authorized in the said act, in relation to the bridge and its affairs; and being authorized "to do and transact all other such matters, acts and things as by the by-laws, orders and regulations of the Company, shall be committed to them," but no by-law having been heretofore passed, in relation to the lot of ground belonging to the Company at or near the bridge, and given to the Company by an act of the Legislature of the Commonwealth; and certain expenditures being now required to conform to the regulation of High Street and Schuylkill Front Street, on both whereof the said lot is bounded: Be it ordained and enacted, and it is hereby ordained and enacted by the President, Directors and Company so incorporated as aforesaid, that the President and Directors shall and may expend and lay out from the funds or monies arising from the tolls of the bridge now or hereafter to be collected, all sums required for a compliance with the regulation of the said streets, so far as shall be necessary in their opinion to be expended and laid out, and do and transact all other acts, matters and things, in relation to the said lot, and also in relation to the other lots and

wharves on each side of the said river Schuylkill, which are the property of the said President, Directors and Company, which circumstances now or hereafter do, shall or may require: hereby giving to the said President and Directors and their successors in office, full powers and authority, to do, perform and execute all legal acts, matters and things in relation to the said lots and wharves, as fully and effectually as the said President, Directors and Company could, in their corporate capacity, for the use, benefit and advantage of the said President, Directors and Company, do, perform and execute.

Ordained and enacted into a by-law of the President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia; this nineteenth day of June, in the year of our Lord eighteen hundred and nineteen.

By order of the Corporation.

(Signed) RICHARD PETERS,
President.

At a meeting of the President, Directors and Company incorporated, for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, held agreeably to public notice, the following by-law was unanimously adopted.

By-Law establishing Rules and Regulations for the orderly collection of the tolls, and the government, convenience and preservation of the Bridge, its affairs and appurtenances, and for the ease and safety of passengers on and over the same.

Whereas in and by the supplement to the act authorizing the incorporation of "the Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia," the said supplement having passed the second day of April, in the year of our Lord, one thousand eight hundred and twenty-one, it is enacted that "the President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, be, and they are hereby authorized to regulate the mode of passage over the bridge, so as to prevent injury thereto, or annoyance to passengers, by any person or persons who shall drive, ride or pass on or over the same, and in any manner infringe the regulations made by the said President, Directors and Company, as to such mode of passage; or in relation to the tonnage or weight permitted or forbidden to be transported on or over the said bridge; or as to the state of carriages of pleasure or burthen claiming diminution, or liable to increase of tolls; and generally to make and ordain such by-laws and regulations, not contrary to the constitution and

laws of this Commonwealth, as shall be considered necessary for the orderly collection of the tolls, and the government, convenience and preservation of the said bridge, its affairs and appurtenances; and for the ease and safety of passengers on or over the same; and all breaches of such by-laws, rules and regulations, shall be subject to the like penalty and penalties prescribed for the cases enumerated in the act to which this is a supplement."

Be it ordained and enacted by the President, Directors and Company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, in their corporate capacity met, and it is hereby ordained and enacted by authority of the same, that the following Rules and Regulations be established, and they are hereby made, ordained and established, for the orderly collection of the tolls and preservation of the bridge erected by the Company for that purpose incorporated: the said bridge being situated at the west end of High Street, and extending over the said river to and at the western bank or shore thereof, as far as its approaches continue on both sides thereof, and for other and all purposes in said supplement mentioned. And all acts matters and things declared in and by such Rules and Regulations to be penal offences; and such as are directed and prohibited thereby are, when infringed, hereby declared and enacted so to be, to all intents and purposes, as if such offences, directions and prohibitions were herein more particularly and at large described, directed and prohibited. The wharves and passages thereto, on each end and side or sides of the

said bridge; and such parts of the lots or grounds on both sides of the said river, being the property of this corporation, as are or shall be occupied for the use, benefit and advantage of this corporation, or attached to the bridge, or used for its convenience, or in any wise devoted to the use and benefit of its affairs; and all buildings, fences, gates and other improvements and conveniences erected thereon, are hereby declared to be appurtenances thereto; and all offences or injuries committed thereon or thereto, are hereby considered as being included in the Rules and Regulations herein established and ordained.

Enacted into a by-law and sealed with the corporate seal, this twenty-seventh day of May, in the year of our Lord one thousand eight hundred and twenty-two.

(Signed)

GEO. RUNDLE, *Secretary.*

RICHARD PETERS,

President.

RULES AND REGULATIONS.

According to Law.

I.

PERSONS, carriages or cattle, of whatsoever description, passing over the bridge, must keep to the right.

Offences against this rule, by wilfully obstructing the passage, will subject the drivers of carriages to back out, and drivers of cattle to return, and enter on the proper direction. Nor shall any carriage of pleasure or burthen be driven, or permitted to pass out of a walk.

II.

No horse or horses, or other animals, shall be rode or driven out of a walk.

The number of horses, cattle or other animals intended to be driven over the bridge shall, previously to passing, be carefully ascertained. The driver or drivers shall give a true account of numbers. In case of misrepresentation, the owner or driver or drivers, shall pay the penalty annexed to offences against these rules and regulations.

Not more than twenty horned cattle shall pass or be driven over the bridge at one time. Sheep, swine, and other inferior animals, shall be driven over in such

reasonable numbers as not to incommode the passage to the left of the side on which they are driven. The toll collector shall decide finally on questions as to number and description.

III.

The toll collector or collectors shall decide on the exemptions from toll, or its increase, as mentioned in the toll list according to the quantity of lading or its absence. Any driver of a carriage of burthen, refusing a search, or by any contrivance or means, obstructing or deterring from such search, by the toll collector, or misrepresenting the true state of his carriage, shall pay the penalty imposed on offences against these rules and regulations. Refusing to pay, or evading payment of toll, is to be considered a penal offence.

IV.

No carriage of burthen laden with more than five tons, nor any such weight, by whatever means intended to be moved or transported, shall be permitted to pass over the bridge. The weight of any article or lading so intended to pass, shall be truly ascertained, and correct information thereof given, by the party desiring its passage. The toll collector may refuse such passage until the weight be correctly ascertained, or the order of the President and Directors, or their Bridge Committee be obtained.

V.

Passengers in carriages of pleasure or burthen, shall follow the carriage first entering the bridge in a single

line. Any attempt to pass, or violently or unnecessarily to urge or force on a preceding carriage, is a penal offence.

VI.

Any disorderly conduct practised on, or by riders of, saddle horses, or any other person or persons in disturbance of passengers, and especially of drivers of horses, cattle, or any other animals, or by such drivers, in annoyance of other passengers, is and are liable to the penalty herein prescribed; as are those who by riotous and disorderly conduct, vociferations, alarming cries or sounds, or other improper behaviour or mode of disturbance annoy passengers in carriages or on horseback, or terrify horses, cattle, or other animals passing the bridge.

VII.

No shallop, craft, or vessel with fire on board, shall approach the bridge, so as to create well founded apprehension of danger to the superstructure. The toll collector, or the person or persons having charge of the wharf or wharves, is or are to decide on such questions, and give directions accordingly. Disobedience thereto is a penal offence, and the owner or owners, the master and navigator of such vessel or vessels is, and are held responsible, as the owner, master and navigators of any craft, shallop or other vessel also are, for injuries to the bridge, by running foul of the wood-work, through design or negligence.

